

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

CIVIL ACTION NO:04:06-1042

CANDICE MICHELLE HARDWICK, by and  
through her Parents and Guardians DARYL LEWIS  
HARDWICK and PRISCILLA LEA HARDWICK,

Plaintiffs,

VS.

MARTHA HEYWARD in her individual capacity  
and in her official capacity as Principal of Latta  
Middle School; GEORGE H. LIEBENROOD, JR.,  
In his individual capacity and in his official capacity  
as Principal of Latta High School, and the Board of  
Trustees of Latta School District (Dillon County  
No.3),

Defendants.

**PLAINTIFF'S APPLICATION (MOTION) FOR PRELIMINARY  
INJUNCTION & HEARING**

**TO THE HONORABLE JUDGE OF SAID COURT:**

Comes the Plaintiffs, by and through their counsel of record, with this their Application (Motion) for Preliminary Injunction and would submit unto this honorable court the following:

1. Plaintiffs filed their Original Complaint containing an application for a Preliminary Injunction on March 31, 2006, accompanied by a Memorandum of Law on the appropriateness of a Preliminary Injunction.
2. Plaintiffs amended their Complaint and Memorandum of Law in July 2006 which was answered by Defendants.
3. Plaintiffs wish to move forward with their application for Preliminary Relief, due to the ongoing violation of Plaintiff's Rights, to include, if the court permits, a hearing on all relevant

issues and after Defendants have responded; pursuant to the custom in this District that such motion be filed separately from the Complaint.

4. That Plaintiffs designate the Amended Memorandum of Law previously filed in this cause to serve as the Memorandum of Law in support of this motion.

That counsel for Plaintiffs has conferred with counsel for Defendants, who state that they are not opposed to this motion.

September 15, 2006

Respectfully submitted,

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